



General Assembly

Amendment

January Session, 2011

LCO No. 8442

SB0107008442SR0

Offered by:

SEN. RORABACK, 30th Dist.

REP. WILLIS, 64th Dist.

To: Senate Bill No. 1070

File No. 295

Cal. No. 196

"AN ACT CONCERNING THE DEPARTMENT OF VETERANS' AFFAIRS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (c) of section 46b-56 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (c) In making or modifying any order as provided in subsections (a)
7 and (b) of this section, the court shall consider the best interests of the
8 child, and in doing so may consider, but shall not be limited to, one or
9 more of the following factors: (1) The temperament and developmental
10 needs of the child; (2) the capacity and the disposition of the parents to
11 understand and meet the needs of the child; (3) any relevant and
12 material information obtained from the child, including the informed
13 preferences of the child; (4) the wishes of the child's parents as to
14 custody; (5) the past and current interaction and relationship of the

15 child with each parent, the child's siblings and any other person who
16 may significantly affect the best interests of the child; (6) the
17 willingness and ability of each parent to facilitate and encourage such
18 continuing parent-child relationship between the child and the other
19 parent as is appropriate, including compliance with any court orders;
20 (7) any manipulation by or coercive behavior of the parents in an effort
21 to involve the child in the parents' dispute; (8) the ability of each
22 parent to be actively involved in the life of the child; (9) the child's
23 adjustment to his or her home, school and community environments;
24 (10) the length of time that the child has lived in a stable and
25 satisfactory environment and the desirability of maintaining continuity
26 in such environment, provided the court may consider favorably a
27 parent who voluntarily leaves the child's family home pendente lite in
28 order to alleviate stress in the household; (11) the stability of the child's
29 existing or proposed residences, or both; (12) the mental and physical
30 health of all individuals involved, except that a disability of a
31 proposed custodial parent or other party, in and of itself, shall not be
32 determinative of custody unless the proposed custodial arrangement is
33 not in the best interests of the child; (13) the child's cultural
34 background; (14) the effect on the child of the actions of an abuser, if
35 any domestic violence has occurred between the parents or between a
36 parent and another individual or the child; (15) whether the child or a
37 sibling of the child has been abused or neglected, as defined
38 respectively in section 46b-120; and (16) whether the party
39 satisfactorily completed participation in a parenting education
40 program established pursuant to section 46b-69b. The court is not
41 required to assign any weight to any of the factors that it considers.
42 Notwithstanding the provisions of this subsection, in making or
43 modifying any order as provided in subsections (a) and (b) of this
44 section, the court shall only consider the deployment or potential
45 deployment outside of the state of a parent who is a member of the
46 armed forces as a factor in determining any such order if the court
47 determines, by clear and convincing evidence, that consideration of
48 such deployment or potential deployment is in the best interests of the
49 child."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	46b-56(c)
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